GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2292
ANSWERED ON:29.11.2016
Extension of AFSPA
Chavan Shri Ashok Shankarrao;Gaikwad Dr. Sunil Baliram;Gupta Shri Sudheer;Kirtikar Shri Gajanan Chandrakant;Mahato Shri Bidyut Baran;Radhakrishnan Shri T.;S.R. Shri Vijay Kumar;Singh Shri Kunwar Haribansh

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the States and regions in the country where the Armed Forces (Special Powers) Act (AFSPA) is operational;

(b) whether the Armed Forces (Special Powers) Act (AFSPA) has been extended by six months in the State of Assam and the 20 KM wide belt of Meghalaya bordering the State recently and if so, the details thereof and the reasons therefor;

(c) whether the State Government of Assam has recently suggested to the Union Government to prepare a roadmap to withdraw armed forces from civilian conflict management in the northeast and replace them with trained local police;

(d) if so, the details thereof and the response of the Union Government thereto; and

(e) the measures taken/being taken by the Government to check human rights violations by armed forces in the said region of the country?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJIJU)

(a) to (e): Armed Forces Special Powers Act (AFSPA) is currently operational in:
(i): Assam;
(ii): Nagaland;
(iii): The State of Manipur excluding Imphal Municipal Area;
(iv): Tirap, Changlang and Longding districts in Arunachal Pradesh and the areas falling within the jurisdiction of the 16 police stations/police out post in the districts of the Arunachal Pradesh bordering the State of Assam;
(v): 20 km wide belt bordering Assam in the State of Meghalaya;
(vi): Entire State of J&K except the districts of Kargil and Leh (Ladakh).

AFSPA has been extended by six months in the State of Assam and 20 Km wide belt of Meghalaya bordering the State of Assam vide Notification S.O. 3382(E), dated 4.11.2016 as the law and order situation in the State of Assam has continued to be a matter of concern due to violent incidents and activities by insurgent groups.

...3/

The state Govt. of Assam has not suggested any such proposal to replace armed forces with trained local police.

A mechanism is already in place for preventing misuse of powers under the Armed Forces (Special Powers) Act. Guidelines containing 'Do's &Don't's' for the Armed Forces deployed in Counter Insurgency Operations have been issued as per the directions of Supreme Court in the matter of Naga People's Movement of Human Rights versus Union of India. Violation of these guidelines by members of the Armed Forces make them liable for prosecution under the Army Act and the respective Acts of the Central Armed Police Forces. The Human Rights Cell established at various levels of Army and the Central Armed Police Forces regularly monitor complaints on human rights violations, by the members of the Armed Forces. The troops are sensitized at regular intervals regarding the importance of upholding Human Rights.

******